maine standards COMPANY

510(k) SUMMARY

APR 16 2009

"This summary of 510(k) safety and effectiveness information is being submitted in accordance with the requirements of SMDA 1990 and 21 CFR 807.92."

"The assigned 510(k) number is: K090475."

Submitter: Maine Standards Company
Address: 765 Roosevelt Trail
Windham, ME 04062
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Contact:

Summary prepared on: February 23, 2009

Device classification name: Multi-Analyte Controls, All Kinds (Assayed and Unassayed)
Device description: Quality control material (assayed and unassayed)*
Proprietary Name: VALIDATE® CM2 Calibration Verification / Linearity Test Set
Regulation Number: 21 CFR 862.1660
Product Code: JJY*
***Note**: There is no FDA product code for calibration verification / linearity materials. Therefore, as with previous submissions by Maine Standards and other calibration verification / linearity manufacturers, JJY has been selected as the "best fit" FDA code for this product.*
Regulatory Class: Class I

Predicate Device:

VALIDATE® CM1 Calibration Verification / Linearity Test Set, Maine Standards Company, Windham, ME.

Device description: VALIDATE® CM2 Calibration Verification / Linearity Test Sets are human based calibration verification materials containing multiple levels used to establish the relationship between theoretical operation and actual performance of the included analytes. There exists a linear relationship among each set of solutions.

Intended use: The VALIDATE® CM2 Calibration Verification / Linearity Test Sets are used by trained laboratory professionals for quantitatively verifying calibration, validating reportable ranges, and determining linearity in automated, semi-automated and manual chemistry systems for the analytes listed on the package insert. These materials are not intended for use as routine quality control materials or as calibration materials.

Comparison of VALIDATE® CM2 Calibration Verification / Linearity Test Set to the predicate device:

Table 1 compares characteristics of the VALIDATE® CM2 Calibration Verification / Linearity Test Set with those of the VALIDATE® CM1 Calibration Verification / Linearity Test Set.

TABLE 1 - Comparison of Devices

	VALIDATE® CM1	VALIDATE® CM2
Catalog #	**401**	**402**
Intended Use	For *in vitro* diagnostic use in quantitatively verifying calibration, validating reportable ranges, and determining linearity in automated, semi-automated and manual chemistry analyzers.	For *in vitro* diagnostic use in quantitatively verifying calibration, validating reportable ranges, and determining linearity in automated, semi-automated and manual chemistry analyzers.
Analytes	CK-MB, MYO	TnI, TnT, BNP, NT-proBNP,hsCRP,MPO
Matrix	Human Serum	Human Serum
Number of Levels	5	2 sets of 6 including base matrix
Preparation	Liquid, ready to use	Liquid, ready to use
Packaging	5 x 3.0mL	12 x 2.0 mL
Stability	Until expiration	Until expiration
Storage	-10 to -20°C	-10 to -20°C

The performance of VALIDATE® CM2 Calibration Verification / Linearity Test Set solutions on the Beckman Access II (TnI, BNP), the Beckman Immage 800 (hsCRP), the Beckman Synchron DxC with Diazyme reagent (MPO), the Roche e411 (TNT, NT-proBNP), and the Roche Integra 400+ (hsCRP) has been shown to be substantially equivalent using pre-production lots of VALIDATE® CM2 Calibration Verification / Linearity Test Sets to the VALIDATE® CM1 Calibration Test Set.

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
2098 Gaither Road
Rockville MD 20850

Maine Standards Company
c/o Ms. Holly A. Cressman
Manager QA/RA
765 Roosevelt Trail
Windham, ME 04062

APR 16 2009

Re: k090475
Trade/Device Name: VALIDATE CM2 Calibration Verification/Linearity Test Set
Regulation Number: 21 CFR 862.1660
Regulation Name: Quality Control Material (assayed and unassayed)
Regulatory Class: Class I, reserved
Product Code: JJY
Dated: February 23, 2009
Received: February 24, 2009

Dear Ms. Cressman:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act) that do not require approval of a premarket approval application (PMA). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to such additional controls. Existing major regulations affecting your device can be found in Title 21, Code of Federal Regulations (CFR), Parts 800 to 895. In addition, FDA may publish further announcements concerning your device in the Federal Register.

Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Parts 801 and 809); and good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820).

This letter will allow you to begin marketing your device as described in your Section 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific information about the application of labeling requirements to your device, or questions on the promotion and advertising of your device, please contact the Office of In Vitro Diagnostic Device Evaluation and Safety at (301) 594-3084. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR Part 807.97). You may obtain other general information on your responsibilities under the Act from the Division of Small Manufacturers, International and Consumer Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its Internet address http://www.fda.gov/cdrh/dsma/dsmamain.html.

Sincerely yours,

Courtney C. Harper, Ph.D.
Acting Director
Division of Chemistry and Toxicology
Office of *In Vitro* Diagnostic Device
Evaluation and Safety
Center for Devices and Radiological Health

Indications for Use

510(k) Number: K090475

Device Name: VALIDATE® CM2 Calibration Verification / Linearity Test Set

Indications For Use:

VALIDATE® CM2 Calibration Verification / Linearity Test Set solutions are intended for *in vitro* diagnostic use in the quantitative determination of linearity, calibration verification and verification of reportable range in automated, semi automated, and manual chemistry systems. Each VALIDATE® CM2 Calibration Verification / Linearity Test Set consists of two sets of bottles. Set 1 contains BNP, hs-CRP, Troponin-I, and MPO. Set 2 contains NT-proBNP, hs-CRP, Troponin-T and MPO.

Prescription Use ___X___ (Part 21 CFR 801 Subpart D) AND/OR Over-The-Counter Use _____ (21 CFR 801 Subpart C)

(PLEASE DO NOT WRITE BELOW THIS LINE-CONTINUE ON ANOTHER PAGE IF NEEDED)

Concurrence of CDRH, Office of In Vitro Diagnostic Devices (OIVD)

Division Sign-Off
Office of In Vitro Diagnostic Device
Evaluation and Safety
510(k) 090475